

GOV05	Allowances and Expenses (Elected Members) Policy
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Policy Custodian:	Chief Executive Officer
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### Purpose

West Daly Regional Council is committed to ensuring Elected Members are provided with the support they need to effectively carry out their roles, which includes the provision of allowances and the reimbursement of reasonable expenses. This policy:

- States Council’s guiding principles for setting and paying allowances; and
- Clarifies points of eligibility and the requirements for payment of the Extra Meeting Allowance, Professional Development Allowance, Mayoral Allowance/s and Travel and Expenses Allowance, in accordance with the requirements of the *Local Government Act 2019, Local Government (General) Regulations 2021 and Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Act 2006*.

This policy should be read in conjunction with the Ministerial Guideline as information and amounts on allowances is included in the Guideline.

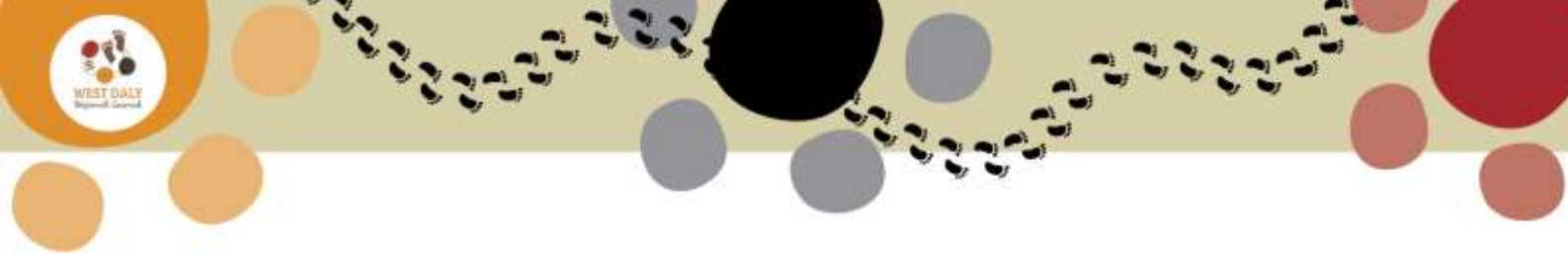
### Scope

This policy applies to all Elected Members of Council, CEO and to Council staff with responsibility for implementing this policy. The Northern Territory Remuneration Tribunal determines allowances for Elected Members and pursuant to section 7E(9) of the *Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Act 2006*, the allowances determined are effective from 1 July 2023.

### Policy Statement

#### 1. Policy Principles

- 1.1. Council will have fair and transparent processes and procedures in place for the payment of allowances and the reimbursement of expenses to Elected Members.
- 1.2. Council will resolve to fix Elected Member *Base Allowance, Electoral Allowance, Extra Meeting Allowance* and *Professional Development Allowance* for each financial year, when Council adopts its budget for the forthcoming financial year.



- 1.3. Each allowance will be determined by Council in compliance with the requirements of the *Local Government (General) Regulations 2021*, and with reference to:
- a) Council's fiscal situation and financial risk profile;
  - b) Fair and reasonable remuneration for Elected Members; and
  - c) The maximum amount determined under the legislation (see Ministerial Guideline relating to Council Member Allowances).

## 2. Inclusion of all allowances

- 2.1. The Allowances provided by Council to all Elected Members are to cover:
- a) Any cost to Councillors of attending meetings and activities of Council where these costs are not reimbursed by Council;
  - b) Contribution towards phone and internet usage;
  - c) Contribution towards any home office and supplies;
  - d) Allowance towards costs incurred in servicing constituents in Ward, including but not limited to:
    - i. Donations
    - ii. Organisation sponsorship
    - iii. Membership fees
    - iv. Patron expenses; and
    - v. Constituent support.

## 3. Extra Meeting Allowance


- 3.1. An Extra Meeting Allowance is an additional allowance paid to the Deputy Mayor and Councillors which covers attendance at those meetings or functions that are not an Ordinary Council Meeting, and that Council has resolved will be covered by this allowance.
- 3.2. The allowance will be capped at \$10,000 per financial year for all Councillors and the Deputy Mayor.
- 3.3. The Extra meeting allowance to be paid to Councillors and the Deputy Mayor are:
- |                          |       |
|--------------------------|-------|
| a) Up to 2 hours         | \$200 |
| b) Between 2 and 4 hours | \$300 |
| c) More than 4 hours     | \$500 |
- 3.4. The Extra Meeting Allowance will be paid at the rate determined by the Northern Territory Remuneration Tribunal and is only payable after an approved claim has been made.
- 3.5. The Extra Meeting Allowance may be paid in relation to attendance at the following types of meetings:
- a) Special Council Meetings.
  - b) Council Committee meetings such as Audit and Risk Management Committee and Finance Committee.



- c) Local Authority Meetings within the Ward the Elected member represents.
  - d) Functions as an invited representative of Council and with Councils approval.
  - e) All other approved meetings of Council, for planning, briefing or information sessions of council meetings.
- 3.6. Extra Meeting Allowance is not available if the annual allowance cap is fully spent.
- 3.7. Claims for Extra Meeting Allowance must be lodged within one month of the meeting. Where the claim is not made within one month of the meeting, the allowance for that meeting is forfeited.
- 3.8. Extra Meeting Allowances are not applicable to the Mayor, or to an Elected Member acting in the Mayors position, as this allowance is incorporated into the Base Allowance for that position.

#### **4. Professional Development Allowance**

- 4.1. The Professional Development Allowance is an allowance payable to Elected Members to attend conferences and training courses that enable the Member to develop their capabilities in their role.
- 4.2. Only those training courses and conferences approved by the CEO under s45 (1) of the *Local Government Act 2019* will attract Professional Development Allowance.
- 4.3. Council has determined that the types of conferences or training courses which may be attended or undertaken by an Elected Member using Professional Development Allowance, include training and development in the areas of:
- a) Leadership
  - b) Governance practices
  - c) Community development and capacity building
  - d) Risk, compliance, and financial management
  - e) Strategic management
  - f) Diversity and advocacy, including skill levels and understanding in the areas of diversity and inclusive practices.
  - g) Any other course or training that is prior approved by Council and that Council considers will be of benefit to Council, Council constituents and/or the West Daly Region.
- 4.4. Professional Development Allowance is \$4,000 per person for each financial year over the elected term.
- 4.5. In the case of high-cost training courses, if an Elected Member is attending a course that exceeds the Professional Development Allowance available in the current financial year:
- a) Any remaining Professional Development Allowance in the current financial year is to be expended to partially pay for the training cost; and

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- b) A claim for Professional Allowance in a year can be a total of two years being \$8,000 drawn in advance or from the one years remaining balance from the previous year.
- 4.6. Expenditure of the Professional Development Allowance in future financial years will only be done on a reimbursement basis to an Elected Member who has personally paid the remaining cost of the training course.
- 4.7. Access to reimbursement is subject to:
- a) The Elected Member remaining a Council Member in the future financial year(s) when a claim for reimbursement is made; and
  - b) Any changes in the maximum amount of Professional Development Allowance available in the future financial year(s) (which may reduce the reimbursement amount available).
- 4.8. Proof of completion for each stage of the course is required before further payments can be claimed.

## **5. Travel and Expenses Allowance**

- 5.1. On occasion, Elected Members may be required to travel away from their usual place of residence to attend official Council business.
- 5.2. Elected Members are entitled to claim eligible travel and expenses allowance for attendance at:
- a) A meeting of the Council, Council Committee, or Local Authority to which the Elected Member belongs.
  - b) Business of the Council where there is a prior resolution of the Council that the Member will attend.
  - c) Any function where Council has nominated an Elected Member to attend by resolution.
- 5.3. To be eligible for travel and expenses allowance, the meeting or event must be held outside the Member's ward.
- 5.4. The Travel and Expenses Allowance will be paid at the current Australian Taxation Office (ATO) Table 1 Taxation Determination TD 2021/6 or any subsequent Taxation Determination made in substitution of that Determination in the financial year.
- 5.5. Where travel arrangements need to be changed or cancelled, the Elected Member must inform the CEO within 3 days of the meeting or as soon as possible to minimise any financial loss to the Council.
- 5.6. Where an Elected Member fails to attend all or part of the business for which travel has been organised and paid, the Elected Member is to present the reasons to Council as to why they did not attend.
- 5.7. The CEO is to report any non-attendance at the next Ordinary Council meeting.
- 5.8. If an Elected Member fails to undertake pre-arranged travel such as flights, transport, accommodation, registration fees and related costs, the Elected Member is to reimburse Council the full cost.



**6. Accommodation**

- 6.1. Accommodation will be made available during the period of travel including, if travel scheduling requires, one night before and one night after the event being attended.
- 6.2. Council will only cover the cost of accommodation for the Elected Member. Any additional costs for family staying with an Elected Member will be at their own expense.
- 6.3. Additional expenses incurred in accommodation, such as telephone calls, in-house movies, mini-bar supplies, room service and including any further costs incurred for damage or additional cleaning, will be at the Elected Members own expense.
  - a) Any expenses charged to Council by the accommodation provider, must be reimbursed by the Elected Member for their next available allowance payment.
  - b) The CEO or delegate may authorise for the amount to be paid by instalments or substitute a lesser amount to be paid, at the CEO's discretion.

**7. Non-attendance**

- 7.1. If an Elected Member has committed to represent Council at an approved conference, meeting, workshop, training, event but fails to attend without providing a reasonable justification to the Council the absent Elected Member will be required to repay all travel, accommodation, registration fees and related costs via deductions from their allowance payments.
- 7.2. If an Elected Member does not attend all or part of the business for which travel has been pre-approved, organised and paid, the Elected Member must explain and provide a reasonable justification for their absence to Council, and may be required to partially or fully reimburse Council from their next allowance payments.

**8. Mobile Phones**

- 8.1. Elected Members are responsible for their own telecommunications and internet plan as this forms part of their allowance.

**9. Vehicle Allowance**

- 9.1. Vehicle Allowance will be available for travel undertaken by all Elected Members when the travel involves 50kms from home base, and is capped at \$5,000 per financial year, when travel does not occur in a Council supplied and maintained vehicle including the Mayors vehicle.
- 9.2. Vehicle Allowance will be in the form of kilometre allowance which will be paid at rates set by the Australian Taxation Officer each year.
- 9.3. Vehicle Allowance will be available in the following circumstances:
  - a) Travel to and from statutory Council meetings;
  - b) Travel to and from official Council approved meetings;



- c) Travel to and from approved function representing the Mayor;
- d) Travel to and from Local Authority meetings;
- e) Travel to and from all meetings of Council or their sub-committees; and
- f) Travel to and from any additional activity where Extra Meeting Allowance has been approved.

9.4. If the Mayor is not given a Council maintained vehicle they can receive a Vehicle Allowance which will be paid fortnightly being capped at \$40,000 per year.

## **10. Payment of Allowances**

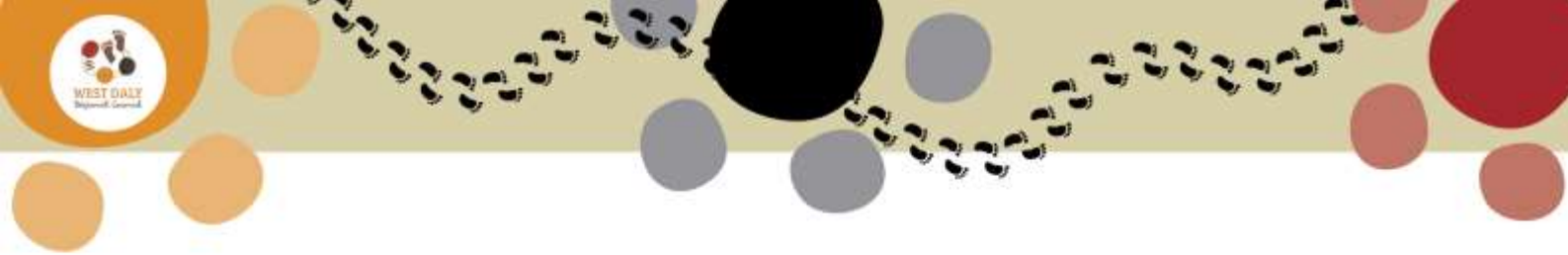
- 10.1. Unless otherwise negotiated with the CEO or delegate, all allowance payments will be paid at the full amount without deduction for either taxation or superannuation purposes.
- 10.2. Elected Members are able to request that taxation be deducted and/or that superannuation contributions be paid into a nominated fund.
- 10.3. The Base Allowance and Electoral Allowance will be automatically paid to Elected Members fortnightly, or at such frequency as resolved by Council - in arrears.
- 10.4. Subject to claim, Extra Meeting Allowances will be paid automatically in arrears.
- 10.5. Council will publish the amounts of the allowances payable by Council to its Elected Members, on its website.

## **11. Breach of Policy**

- 11.1. A breach of this policy may constitute a breach of the Code of Conduct (Elected Member, Local Authority and Council Committee) and will be handled in accordance with the provisions of the Code of Conduct (Elected Member, Local Authority and Council Committee) Policy.

## **12. Responsibilities**

- 12.1. All Elected Members are responsible for adhering to the provisions of this policy.
- 12.2. The Governance and Quality Assurance Officer is responsible for ensuring that the amounts of allowance/s payable to Elected Members, is published on Council's website, and for ensuring that all reporting obligations referenced in this policy are met.
- 12.3. The Executive Assistant to the CEO/Mayor is responsible for assisting Elected Members with travel and accommodation and assist with completing claims and checking claims against policy.



## References

*Assembly Members and Statutory Officer (Remuneration and Other Entitlements) Act 2006* (NT)

Australian Taxation Office Taxation Determination

*Guideline 2A: Council Member Allowances*

*Local Government Act 2019* (NT) s.45; s.109.1; s.109.2

*Local Government (General) Regulations 2021* (NT) Part 3, Division 6: Allowances

## Definitions

In the context of this policy the following definitions apply:

**Allowance** means remuneration provided to Elected Members.

**Council** refers to the West Daly Regional Council, a regional council that delivers essential local government services to remote communities and supports development opportunities in the region.

**Expense** means an amount incurred or required as a result of undertaking official duties.

**Elected Members** means individuals elected to Council, including the Mayor, Deputy Mayor, and Councillors.

## Related Documents

Code of Conduct (Elected Member, Local Authority and Council Committee) Policy

Mayor's Work Entitlements Policy

Extra Meeting Allowance Claim form

Travel Allowance Claim form

For more information, contact the Policy Custodian.

<b>Signature of Endorsement:</b>	
<b>Position:</b>	Chief Executive Officer